
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Ralph McBride)	File No. EB-FIELDSCR-14-00015023
Owner of Antenna Structure No. 1058494)	
)	NOV No. V201432540008
Beaumont, Texas)	
)	
)	
)	

NOTICE OF VIOLATION

Released: April 15, 2014

By the Resident Agent, Houston Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules),¹ to Ralph McBride, owner of antenna structure number 1058494 located in Beaumont, Texas. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On April 8, 2014, agents of the Enforcement Bureau's Houston Office inspected antenna structure number 1058494 located in Beaumont, Texas, and observed the following violation:

- a. 47 C.F.R. § 17.57: "The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must notify the Commission within 24 hours of completion of construction (FCC Form 854-R) and /or dismantlement (FCC Form 854). The owner also must immediately notify the Commission using FCC Form 854 upon any changes in Structure height or change in ownership information." The agents inspected the geographic coordinates listed as the location of antenna structure number 1058494 and did not observe any structure at this location. Additionally, there is no record that any notice has been filed with the Commission indicating dismantlement of this structure.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Ralph McBride must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Ralph McBride to support his response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in Ralph McBride's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Houston Office
9597 Jones Road, #362
Houston, Texas 77065

6. This Notice shall be sent to the Ralph McBride at his address of record.

³ 47 U.S.C. § 403.

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Stephen P. Lee
Resident Agent
Houston Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).